

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DARRYL T. TORY, SR.,

Plaintiff,

Case No. 3:17-cv-185

vs.

COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

Magistrate Judge Michael J. Newman  
(Consent case)

---

**ORDER AND ENTRY: (1) GRANTING THE JOINT MOTION FOR REMAND  
(DOC. 11); (2) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE  
FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER PROCEEDINGS; AND  
(3) TERMINATING THIS CASE ON THE COURT'S DOCKET**

---

This Social Security disability benefits appeal is presently before the Court on the parties' joint motion to remand this case to the Commissioner for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g). Doc. 11. Based upon the agreement of the parties, and for good cause shown, the ALJ's non-disability finding is **REVERSED** as unsupported by substantial evidence and the parties' joint motion for a Sentence Four remand (doc. 11) is **GRANTED**. This case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for further proceedings. The Clerk is **ORDERED** to enter judgment in favor of Plaintiff and to **TERMINATE** this case on the Court's docket.

**IT IS SO ORDERED.**

Date: October 10, 2017

s/ Michael J. Newman  
Michael J. Newman  
United States Magistrate Judge